



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
MEMPHIS ENVIRONMENTAL FIELD OFFICE
8383 WOLF LAKE DRIVE
BARTLETT, TN 38133-4119
PHONE (901) 371-3000 STATEWIDE 1-800-891-8332 FAX (901) 371-3170**

August 31, 2016

Mr. Mike Wigley
Assistant Chief -Engineering Design
Norfolk Southern Railway Company
1200 Peachtree St. NE, 7-142
Atlanta, GA 30309

**Subject: NPDES Tracking Number TNR153856
Norfolk Southern Railway Company
Rossville, Fayette County, Tennessee**

Dear Mr. Wigley:

The Division of Water Resources (division) acknowledges receipt of a certified Notice of Termination (NOT) on August 3, 2016, for the above-reference site. After a review of our files and an inspection of the site, it has been determined that this site does not meet the termination requirements as stated in Section 8 of the Construction General Permit (CGP) and we are therefore returning the NOT to you. The entire site is not complete and stable. Further stabilization is needed in 1) areas in the vicinity of the slotted concrete outfall structure for permanent basin 4 that lack full vegetative cover; 2) the upper slope in the vicinity of light pole 129 above the eastern conveyance, and 3) the failed rip-rap flume down the large eastern slope near light pole 115 (see attached inspection report).

When the site meets the requirements for termination, you may re-submit an NOT. Until that time please note that you are liable for construction related stormwater discharges from the site under the terms and conditions of the CGP.

We appreciate your attention to the general construction storm water permit and its requirements. We believe this does make a difference to the quality of state waters. If you have questions, please feel free to contact me at (901) 371-3028 or by E-mail at Cliff.Caudle@tn.gov.

Sincerely,

Cliff Caudle
Environmental Scientist
Division of Water Resources
Memphis Environmental Field Office

Enclosures

cc: DWR – Enforcement and Compliance; DWR - Memphis EFO Permit File; Anthony Caruso/NS RR

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)**

Division of Water Resources

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243
1-888-891-TDEC (8332)**Notice of Termination (NOT) for General NPDES Permit for Stormwater Discharges from Construction Activities (CGP)**

This form is required to be submitted when requesting termination of coverage from the CGP. The purpose of this form is to notify the TDEC that either all stormwater discharges associated with construction activity from the portion of the identified facility where you, as an operator, have ceased or have been eliminated; or you are no longer an operator at the construction site. Submission of this form shall in no way relieve the permittee of permit obligations required prior to submission of this form. Please submit this form to the local DWR Environmental Field Office (EFO) address (see table below). For more information, contact your local EFO at the toll-free number 1-888-891-8332 (TDEC).

Type or print clearly, using ink.

Site or Project Name: Norfolk Southern Memphis Regional Intermodal Facility		NPDES Tracking Number: TNR 153856	
Street Address or Location: 3000 Norfolk Southern Way, Collierville, TN 38017		County(ies): Fayette	
Name of Permittee Requesting Termination of Coverage: Norfolk Southern Railway Company			
Permittee Contact Name: Mike Wigley		Title or Position: Assistant Chief Engineering-Design	
Mailing Address: Bldg Box 7-142, 1200 Peachtree Street		City: Atlanta	State: GA Zip: 30309
Phone: (404) 529 1332		E-mail: Mike.Wigley@nscorp.com	

Check the reason(s) for termination of permit coverage:

<input checked="" type="checkbox"/>	Stormwater discharge associated with construction activity is no longer occurring and the permitted area has a uniform 70% permanent vegetative cover OR has equivalent measures such as rip rap or geotextiles, in areas not covered with impervious surfaces.
<input type="checkbox"/>	You are no longer the operator at the construction site (i.e., termination of site-wide, primary or secondary permittee coverage).

Certification and Signature: (must be signed by president, vice-president or equivalent ranking elected official)

I certify under penalty of law that either: (a) all stormwater discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

For the purposes of this certification, elimination of stormwater discharges associated with construction activity means that all stormwater discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have been eliminated from the portion of the construction site where the operator had control. Specifically, this means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized, the temporary erosion and sediment control measures have been removed, and/or subsequent operators have obtained permit coverage for the site or portions of the site where the operator had control.

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Permittee name (print or type): Mike Wigley	Signature: 	Date: August 1, 2016
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EFO	Street Address	Zip Code	EFO	Street Address	Zip Code
Memphis	8383 Wolf Lake Drive, Bartlett, TN	38133	Cookeville	1221 South Willow Ave.	38506
Jackson	1625 Hollywood Drive	38305	Chattanooga	1301 Riverfront Parkway, Ste. 206	37402
Nashville	711 R S Gass Boulevard	37243	Knoxville	3711 Middlebrook Pike	37921
Columbia	1421 Hampshire Pike	38401	Johnson City	2305 Silverdale Road	37601